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Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Box PCT, Commissioner for Patents, PO Box 2327, Arlington, VA 22202 on October 31, 2002.

By: Joyce Abriam Printed name: Joyce Abriam

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Tang et al.

Title: MYOSIN HEAVY CHAIN HOMOLOG

Serial No.: 09/830,914 Filing Date: To Be Assigned

Examiner: To Be Assigned Group Art Unit: To Be Assigned

Box PCT
Commissioner for Patents
PO Box 2327
Arlington, VA 22202

TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Response to Notification of Defective Response (2 pp.);
3. Copy of Notification of Defective Response dated October 4, 2002 (7 pp.);
4. Substitute Submission Under 37 CFR § 1.821-1.825 Sequence Listing (1 pg.);
5. One (1) Substitute CRF diskette containing the Sequence Listing;
6. Paper copy of substitute Sequence Listing (11 pp.); and
7. Certificate under 37 C.F.R. §3.73(b), Revocation of Power of Attorney and Appointment of New Attorneys (2 pp.).

The fee has been calculated as shown below.

No additional Fee is required.

Please charge Deposit Account No. **09-0108** in the amount of : \$ _____

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

INCYTE GENOMICS, INC.

Date: 31 Oct 2002


Diana Hamlet-Cox
 Reg. No. 33,302
 Direct Dial Telephone: (650) 845-4639

Customer No.: 27904
 3160 Porter Drive
 Palo Alto, California 94304
 Phone: (650) 855-0555
 Fax: (650) 845-4166

Rec'd PCT/PTO 06 NOV 2002

Docket No.: PF-0621 USN

#15

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Commissioner for Patents
P.O. Box 2327
Arlington, VA 22202

RESPONSE TO NOTIFICATION OF DEFECTIVE RESPONSE

Sir:

In response to the "Notification of Defective Response" mailed by the United States Patent and Trademark Office on October 4, 2002, (copy attached), Applicants submit the document(s) listed below to complete the filing for the above-identified patent application.

1. Substitute Submission Under 37 CFR 1.821-1.825 Sequence Listing (1 pg.);
2. One (1) Substitute CRF diskette containing the Sequence Listing; and
3. Paper copy of substitute Sequence Listing (11 pp.).

The Applicants believe that no fee is due with this communication. However, if the Commissioner determines that additional fees are due or that an excess fee has been paid, the Patent Office is authorized to debit or credit (respectively) Deposit Account No. 09-0108.

Respectfully submitted,
INCYTE GENOMICS, INC.

Date: 31 Oct 2002

Diana Hamlet-Cox
Diana Hamlet-Cox
Reg. No. 33,302
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3160 Porter Drive
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Phone: (650) 855-0555
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OCT 10 2002



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents, Box PCT
United States Patent and Trademark Office
Washington, D.C. 20231
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
09/830,914	Neil C Corley	PF-0621 USN
INTERNATIONAL APPLICATION NO.		
PCT/US99/26177		
I.A. FILING DATE	PRIORITY DATE	
11/05/1999	11/05/1998	

CONFIRMATION NO. 5287
371 FORMALITIES LETTER

OC00000008908126

Date Mailed: 10/04/2002

NOTIFICATION OF DEFECTIVE RESPONSE

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee
- Priority Document
- Biochemical Sequence Diskette
- Biochemical Sequence Listing
- Copy of IPE Report
- Copy of references cited in ISR
- Copy of the International Application
- Copy of the International Search Report
- Oath or Declaration

Applicant's response filed 08/20/2002 is hereby acknowledged. The following requirements set forth in the NOTIFICATION of MISSING REQUIREMENTS mailed 11/13/2001 have not been completed.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

Applicant is required to complete the response within a time limit of ONE MONTH from the date of this Notification or within the time remaining in the response set forth in the Notification of Missing Requirements, whichever is the longer. No extension of this time limit may be granted under 37 CFR 1.136, but the period for response set in the Notification of Missing Requirements may be extended under 37 CFR 1.136(a).

The following items **MUST** be furnished within the period set forth below:

- The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CFR 1.821-1.825 for the following reason(s):
 - See attached Raw Sequence Listing Error Report.

Oct 10 2002
CPT 1000

- APPLICANT MUST PROVIDE:
 - An initial or substitute computer readable form (CRF) of the "Sequence Listing."
 - An initial or substitute paper copy or compact disc of the "Sequence Listing," as well as an amendment directing its entry into the specification.
 - A statement that the contents of the paper or compact disc and the computer readable form are the same and, where applicable, include no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b) or 1.825(d).
- For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:
 - For Rules Interpretation, call (703) 308-4216
 - To Purchase PatentIn Software, call (703) 306-2600
 - For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

A copy of this notice MUST be returned with the response.

BARBARA A CAMPBELL

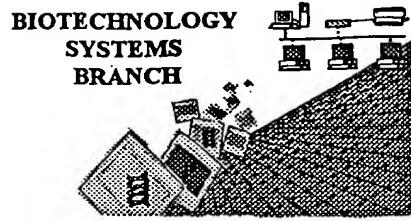
Telephone: (703) 305-3631

PART 2 - OFFICE COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
09/830,914	PCT/US99/26177	PF-0621 USN

FORM PCT/DO/EO/916 (371 Formalities Notice)

#12



RAW SEQUENCE LISTING ERROR REPORT

The Biotechnology Systems Branch of the Scientific and Technical Information Center (STIC) detected errors when processing the following computer readable form:

Application Serial Number: 09/830,914B
 Source: Patent Office
 Date Processed by STIC: 8/26/2002

THE ATTACHED PRINTOUT EXPLAINS DETECTED ERRORS.

PLEASE FORWARD THIS INFORMATION TO THE APPLICANT BY EITHER:

- 1) INCLUDING A COPY OF THIS PRINTOUT IN YOUR NEXT COMMUNICATION TO THE APPLICANT, WITH A NOTICE TO COMPLY or,
- 2) TELEPHONING APPLICANT AND FAXING A COPY OF THIS PRINTOUT, WITH A NOTICE TO COMPLY

FOR CRF SUBMISSION QUESTIONS, PLEASE CONTACT MARK SPENCER, 703-308-4212.

FOR SEQUENCE RULES INTERPRETATION, PLEASE CONTACT ROBERT WAX, 703-308-4216.

PATENTIN 2.1 e-mail help: patin21help@uspto.gov or phone 703-306-4119 (R. Wax)

PATENTIN 3.0 e-mail help: patin3help@uspto.gov or phone 703-306-4119 (R. Wax)

TO REDUCE ERRORED SEQUENCE LISTINGS, PLEASE USE THE CHECKER VERSION 3.1 PROGRAM, ACCESSIBLE THROUGH THE U.S. PATENT AND TRADEMARK OFFICE WEBSITE. SEE BELOW FOR ADDRESS:

<http://www.uspto.gov/web/offices/pac/checker>

Applicants submitting genetic sequence information electronically on diskette or CD-Rom should be aware that there is a possibility that the disk/CD-Rom may have been affected by treatment given to all incoming mail.

Please consider using alternate methods of submission for the disk/CD-Rom or replacement disk/CD-Rom.

Any reply including a sequence listing in electronic form should NOT be sent to the 20231 zip code address for the United States Patent and Trademark Office, and instead should be sent via the following to the indicated addresses:

1. EFS-Bio (<http://www.uspto.gov/ebc/efs/downloads/documents.htm>), EFS Submission User Manual - ePAVE)
2. U.S. Postal Service: U.S. Patent and Trademark Office, Box Sequence, P.O. Box 2327, Arlington, VA 22202
3. Hand Carry directly to:
U.S. Patent and Trademark Office, Technology Center 1600, Reception Area, 7th Floor, Examiner Name, Sequence Information, Crystal Mall One, 1911 South Clark Street, Arlington, VA 22202
Or
U.S. Patent and Trademark Office, Box Sequence, Customer Window, Lobby, Room 1B03, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202
4. Federal Express, United Parcel Service, or other delivery service to: U.S. Patent and Trademark Office, Box Sequence, Room 1B03-Mailroom, Crystal Plaza Two, 2011 South Clark Place, Arlington, VA 22202

Revised 01/29/2002



Put 10

RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/830,914B

DATE: 08/26/2002
TIME: 14:34:57

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Output Set: N:\CRF3\08262002\I830914B.raw

```

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6   CORLEY, Neil C.
7   GORGONE, Gina A.
8   GUEGLER, Karl J.
9   BAUGHN, Mariah R.
11 <120> TITLE OF INVENTION: MYOSIN HEAVY CHAIN HOMOLOG
13 <130> FILE REFERENCE: PF-0621 PCT
C--> 15 <140> CURRENT APPLICATION NUMBER: US/09/830,914B
C--> 16 <141> CURRENT FILING DATE: 2002-08-26
18 <150> PRIOR APPLICATION NUMBER: 09/187,060; unassigned
W--> 19 <151> PRIOR FILING DATE: 1998-11-05, 1998-11-05
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```

Does Not Comply
Corrected Diskette Needed

pp 1,4

please place prior
application number
directly above
its filing da

RAW SEQUENCE LISTING
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DATE: 08/26/2002
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RAW SEQUENCE LISTING
PATENT APPLICATION: US/09/830,914B

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RAW SEQUENCE LISTING

PATENT APPLICATION: US/09/830,914B

DATE: 08/26/2002

TIME: 14:34:57

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> /3097 this and it
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Mandatory
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same error
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